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SCHOOL VOUCHERS: BLESSING OR CURSE FOR CATHOLIC HIGH SCHOOLS?

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The voucher debate has thus far focused almost exclusively on elementary schools. Since Catholic and private high schools tend to be more expensive to operate than elementary schools, this article hypothesizes about the potential future impact of voucher programs on Catholic high schools.

Not since *Brown v. Board of Education* (1954), which declared that “separate but equal” schools were unconstitutional, has a Supreme Court ruling created more educational controversy than *Zelman v. Simmons-Harris* (2002). In fact, in praising *Zelman* as a landmark case, President Bush expressed his belief that it will benefit *all* children (Scott, Naymik, & Patton, 2002). The voucher program at issue was established by the State of Ohio for inner-city parents in Cleveland to send their children to public schools in districts surrounding Cleveland or private schools within city boundaries. In *Zelman* the Court found that the statute creating the voucher program was constitutional and did not constitute a de facto subsidy for religious schools. Chief Justice William H. Rehnquist, author of the majority opinion, stated emphatically:

...where a government aid program is neutral with respect to religion, and provides assistance directly to a broad class of citizens who, in turn, direct government aid to religious schools wholly as a result of their own genuine and independent private choice, the program is not readily subject to a challenge under the Establishment Clause. (*Zelman*, 2002, p. 2467)

Among advocates and opponents of vouchers, there is consensus that *Zelman* has dramatically altered the playing field both for the voucher debate and the church-state landscape. If anything, *Zelman* has removed one of the strongest arguments raised by those opposed to any voucher system. The

school choice debate has historically generated an array of competing claims and information. *Zelman* suggests that a reassessment of the issues is in order. This article offers a brief description and history of vouchers, including the current status of the three major voucher programs; presents arguments for and against vouchers and the lessons learned from the research; and considers the potential impact on the operations of Catholic high schools if the voucher system is expanded dramatically. The authors pay special attention to Catholic high schools, since most of the initial research projects focused on elementary schools.

VOUCHERS

A voucher, or private school choice, program affords parents the opportunity to use tax dollars that have already been collected and earmarked for the purpose of education to send their children to private schools. It is worth noting that while vouchers do not require an increase in taxes, some fear that, by design, they may take money away from the local schools (Davis, 2002).

Voucher programs vary in design. Some limit the number of participating students or designate specific students such as those from low-income families for eligibility, while others have no restrictions (Center for Education Reform, 1995). Voucher programs impose requirements on schools regarding their participation in state testing programs, state-mandated curriculum projects, compliance with civil rights laws, and teacher certification qualifications (Yamashiro & Carlos, 1995).

The idea of vouchers is not new. The concept of vouchers was first introduced by John Stuart Mill in his 1838 essay, "On Liberty" (Justman, 1991). Mill's thoughts were later popularized in Milton Friedman's 1962 book, *Capitalism and Freedom*. Among those who were influenced by that book was Ronald Reagan, who proposed the use of vouchers early in his presidency.

PUBLICLY FUNDED VOUCHER PROGRAMS

At present, 35 states provide support to private, religious schools in some form, even without considering the use of vouchers (Connell, 2000). Parents who chose to send their children to private or parochial schools and paid property taxes to support the local public schools asked the states for assistance. Parents were, in effect, asking the states to level the playing field for participants in private schools. In response to these requests, many states identified ways to distribute tax dollars to private schools in support of specific educational programs. These programs include special education; transportation to and from schools; special services such as nurses, counselors, psychologists, speech and hearing therapists; and textbooks, materials, and

equipment designated for use in the secular curriculum. These attempts have been successful primarily because the laws providing aid have been written in such a way that assistance is not provided directly to the schools. Rather, textbooks, materials, and equipment are purchased by and technically the property of the public school district and are loaned to students in private schools. Moreover, public schools receive a portion of these "auxiliary service" funds as reimbursement for coordination and administration of the programs (Connell, 2000).

Another effort to provide state assistance in Ohio, for example, is the Administrative Cost Reimbursement Program. Under this program, private and religious schools are reimbursed for the time teachers and administrators spend in state-mandated activities, including development of the master schedule and distribution of individual teacher and student schedules, any task associated with pupil attendance, pupil health and safety issues such as fire and tornado drills, pupil transportation services, standardized testing, individual pupil progress reporting including discipline, teacher certification, and transfer of pupils (Ohio Rev. Code Ann., 3321.07, 1995). Although programs of this nature have been challenged in the judicial system on numerous occasions, the courts have consistently approved aid to Catholic and other religious schools on the basis that these schools were, in effect, performing two separate functions: educating students and teaching religion (*Mitchell v. Helms*, 2000). Yet, in every case the schools had to be amenable to public accountability for that money. Voucher programs, on the other hand, do not give the money directly or indirectly to the schools. Rather, not unlike the other forms of aid such as textbooks and instructional materials, vouchers specify a dollar amount to be awarded to parents for educating their children in the schools of their choice with vouchers being used in the form of tuition payment.

To date, voucher experiments have been small and concentrated in urban settings. A decade ago, there were only a few hundred tax-supported voucher students, all in Milwaukee. The Milwaukee Parental Choice Program began in 1990, Ohio's Pilot Project Scholarship Program began in 1995, and Florida's statewide program was initiated in 1999. Today, more than 60,000 students participate in some form of voucher program across the country (Center for Education Reform, 2001).

THE MILWAUKEE VOUCHER PROGRAM

The Milwaukee Public Schools (MPS), the twelfth largest district in the country, began its program in 1990 with about 300 students from low-income families who could choose to attend any participating public or private school. Initially, religious schools were not included in the program. In 1997, the Wisconsin legislature approved private religious schools for inclusion in

the program and enrollment jumped from 1,500 to 6,000. The Wisconsin Supreme Court ruled in 1998 that inclusion of religious schools in the Milwaukee voucher program did not violate the constitutional separation of church and state. Currently, there are 91 schools and over 8,000 students participating in the Milwaukee program, about two-thirds of whom attend religiously sponsored schools. Under the program the students and their families receive approximately \$5,000 to attend a private school (Pardini, 1999).

Assertions on academic achievement for voucher students have been hotly debated by educators and researchers alike. John Witte of the University of Wisconsin at Madison, the original researcher on the Milwaukee Voucher Program and state-appointed evaluator, initially found no difference between the performance of voucher students and those children in regular public schools. For the first 4 years of the research project, Witte controlled the Milwaukee data (Witte, Sterr, & Thorn, 1995). But, when the data were finally made public, a statistical reanalysis of the public school voucher program by Greene, Peterson, and Du (1996) showed that voucher students did, in fact, demonstrate greater gains in reading and mathematics than the public school students. In explaining the difference between the two interpretations of the data, Greene and his colleagues found that Witte had used an inappropriate comparison group—all Milwaukee public school students—rather than a truly equivalent group of students with similar backgrounds and aptitudes. In a follow-up study, Greene further contended that an actual reading of Witte's reports reveals a majority of positive findings (Greene, Peterson, & Du, 1998). In *The Market Approach to Education*, Witte (2000) contends that school choice can be a useful tool for inner-city communities if the programs are devised correctly.

Critics of the Milwaukee Program also contend that vouchers drain already scarce resources from struggling schools that need them the most. Gardner's "How School Choice Helps the Milwaukee Public Schools" (2002) refutes that contention and, in fact, asserts school choice has actually benefited the Milwaukee Public Schools (MPS). Increases have been posted in the performance of MPS students in 11 of 15 standardized tests; enrollment has increased by nearly 5,000 since 1990; market share has increased two percent; per pupil cost has grown by 24%; and the State's contribution to MPS is up 61%, providing an additional 13% of MPS spending (Gardner, 2002).

The positive impact of school choice is reflected in other aspects of the MPS programs. To recruit students and thereby increase their financial base, MPS has been forced to respond more positively to the needs and expectations of the community, parents, and students. In addition, site-based management practices have shifted majority budget control to local schools. Historically, school boards tend to assign teachers to open positions by seniority. In Milwaukee, teacher assignment is facilitated by selection committees within the local school. Teachers and principals who do not measure

up to performance standards may be retrained or terminated. Student dropout rate is decreasing at a time when the number of students from low-income families (traditionally low achievers) is increasing. Four-day kindergarten programs for 4-year-olds have been strengthened and inner-city school facilities have been expanded. Gardner (2002) believes these improvements would not have taken place without the influence brought about by parental choice opportunities.

THE CLEVELAND VOUCHER PROGRAM

The second major voucher program was established in Ohio. The Ohio legislature enacted a statute in 1995 that provided a maximum of \$2,250 each to families of mostly low-income students. The program initially provided 1,994 scholarships for students to attend K-3 private or religious schools. Although all the students attended schools within the city limits, the program also made aid available for paying tuition at suburban public schools, but no other school system agreed to accept voucher students from Cleveland (Russo & Mawdsley, 2003). Once in the program, students could receive vouchers through eighth grade; scholarship amounts depend on income levels of applicant families, and eligible students are selected by lottery grade (Ohio Revised Code Ann., 3313.97, 1995). For the 2001-2002 academic year, the number of participants has grown to 4,266.

As in Milwaukee, an evaluation team from Indiana University, headed by Kim Metcalf and sponsored by the State of Ohio, prepared preliminary studies that reported little or no significant difference in academic achievement between voucher and non-voucher students in Cleveland (Metcalf, 2001). At the same time, Greene (2001) and colleagues found significant improvements in reading and math scores in selected Cleveland voucher schools. Metcalf (2001) confirmed that voucher students outperformed public school students.

THE FLORIDA VOUCHER PROGRAM

In May 1999, Florida joined Milwaukee and Cleveland in providing vouchers. Interestingly, Florida has been the only state in the nation to implement a tax-based voucher program. Under the Florida program, students become eligible to receive scholarships to attend private schools if their neighborhood schools receive an F grade from the state 2 years out of 4. In 1999-2000, no students were eligible for vouchers under the state's guidelines (Innerst, 2000) as researchers uncovered evidence that the accountability program inspired significant academic improvement in public schools (Greene, 2001). Even so, litigation over the Florida program continues (Russo & Mawdsley, 2003). Moreover, since the Florida program is relatively new, scant data are available.

In sum, Milwaukee, Cleveland, and Florida have provided the impetus for other states to establish programs and parents of private school students to initiate legal challenges demanding subsidization of non-public school tuition. Despite these successes, it is important to note that statewide voucher referenda in Michigan and California in 2000 were soundly defeated and only three states have adopted voucher plans, all of which have resulted in drawn-out court battles (Americans United, 2002). Whatever impact these losses had on the momentum of the voucher movement has probably been reversed by *Zelman*.

VOUCHER ADVOCATES AND OPPONENTS

While voucher program experimentation expands, advocates and opponents continue to battle over key philosophical issues. Those on the side of vouchers subscribe to the theory that parents who pay property taxes which are funneled into the public educational system have a right to their fair share of these tax dollars. They also charge that public schools have raised their expenditures well beyond inflation over the past 70 years without demonstrating any substantial improvements in students' educational achievement. Thus, they argue for a more competitive system (Coulson, 1998).

Opponents contend that distribution of education tax dollars is the responsibility of local government and part of the longstanding American tradition of public education. They further maintain that vouchers given to students already attending private schools would reduce public school funding, even if no child were to leave the public school system. Because the lack of money is one of the biggest problems facing public urban school systems, opponents claim that voucher programs aggravate the situation by draining scarce resources from struggling schools. In addition, they are of the opinion that operating expenses remain the same while income dollar amounts decrease when students choose voucher schools over public schools (Rethinking Schools, 2001). Voucher opponents express the following concerns: institutionalizing a two-tier education system of haves and have-nots; the quality of education in public versus private and parochial schools; the separation of church and state; and discrimination against students, particularly against students with disabilities (Apple & Bracey, 2001). Cookson (1994) summarized the voucher opponents' position well when he stated that vouchers were an educational solution in search of a problem.

Voucher advocate Moe stated that there is a growing constituency in America for the kinds of arguments that voucher leaders make. The movement's positions on academic competition, parental influence, smaller school size, and better student performance have struck a responsive chord for many people (Brookings Brown Center, 2001).

IMPACT OF VOUCHERS ON CATHOLIC HIGH SCHOOLS

Despite the highly contentious debate over vouchers and the uncertainty of their impact on Catholic schools, many Catholic leaders have lobbied aggressively for tuition vouchers and other policies that include public funding of religious, private schooling. In 1990, the Catholic bishops established a national office to lobby state legislatures and Congress to fund private schooling (*Catholic School Times*, 1992). The following statement by the National Catholic Educational Association (NCEA) best summarizes the beliefs and convictions of many of the Catholic school voucher advocates:

Catholic educators support the right of parents to choose schools for their children.... While NCEA endorses educational choice for all Americans, it has special concern for the children of the poor. NCEA further believes that any public-funded educational choice program must include private and religiously affiliated schools. (NCEA, 2002)

With *Zelman*, many educators in Catholic schools believe they have been given an extraordinary opportunity and, in fact, that they have an obligation to push the voucher agenda since public financial support for Catholic schools is very appealing for educators and parents alike. This is particularly true for the Catholic high school community in which the costs for operating a private school are often onerous.

One way in which vouchers might positively impact Catholic high schools is to enable them to maximize enrollment within the limits of available resources. For example, if a school has facilities and staff sufficient to accommodate additional enrollment, to quote one Catholic school principal, "filling every seat" aids the school by providing additional tuition dollars without additional expense. Further, vouchers may help to curtail annual tuition increases traditionally absorbed by parents of Catholic high school students. Voucher programs may assist in narrowing the existing gap between public and parochial school salary scales, thereby making it possible to attract and retain highly qualified lay classroom teachers and school administrators. From an instructional perspective, vouchers can help to equalize opportunities for Catholic school students to experience and utilize similar types of technology, equipment, and laboratories available to students attending public high schools.

While vouchers may appear to be a panacea providing choice for low-income families and educational benefits for all families, Catholic high schools would be well-advised to approach participation with caution. No one gives you something for nothing. By accepting public funds, Catholic schools subject themselves to greater involvement of the state in the daily operation of the schools. In particular, leaders in Catholic schools must ques-

tion whether the demands of the state will seriously erode their unique identity. Will Catholic schools remain free to establish their own hiring criteria and integrate the religious dimension into the school's total curriculum? Will the public demand more accountability of the monies if the voucher program attains any size? Will Catholic schools be allowed to follow practices that would be illegal or unacceptable in public schools? By the nature of the grade level and the visibility of the institution in the community, will vouchers create any unique problems for Catholic high schools? Will the use of public funds to support Catholic school education erode the contractual agreement that currently exists between the school and its stakeholders in favor of a more constitutionally based relationship?

Operating a high school with an emphasis on education and Christian values would be easier in a voucher environment than one with a more traditional Catholic mission. Bishop Thomas Curry, auxiliary bishop of the Archdiocese of Los Angeles, warns Catholic schools

may still be able to provide very good, quality education to people who would not be able to receive a good education otherwise. For some, that in itself could be seen as fulfilling the mission of the Catholic Church. But if schools want a more traditional religious mission, I think they need to be willing to pay for it themselves. (Pardini, 1999)

Ultimately, the question of whether school vouchers are a blessing or curse for Catholic high schools will depend on their mission and how that mission is operationalized.

Will the government interfere with the operations within a Catholic high school if a controversy arises in connection with religious teaching? Will Catholic high schools that receive publicly funded vouchers be allowed to follow practices that would be illegal or unacceptable in public schools? The Milwaukee voucher schools refused to sign a letter in 1998 from Wisconsin's Department of Public Instruction asking the schools to comply with federally protected issues such as free speech, due process, and non-discrimination based on gender, marital status, pregnancy, and sexual orientation (Rethinking Schools, 2001). Unlike in Catholic elementary schools, these issues can become major issues at the high school level. John Allen, opinion editor of the *National Catholic Reporter*, warned Catholic schools that minimal government oversight currently enjoyed by the Milwaukee schools could be short-lived with increased funding. A substantial infusion of public monies will bring more calls for accountability (Pardini, 1999). Important questions must be addressed early in the decision-making process. Will Catholic schools be willing to accept a teacher who publicly supports the right to abortion? Will an openly gay teacher be accepted in the schools? Will they follow constitutional guarantees in areas such as due process and free speech? These

are only a few areas where the problems envisioned by Allen might arise. Several state legislators have already introduced legislation that would require voucher schools to accept the same anti-discrimination measures as public schools (Pardini, 1999). Catholic school educators can anticipate many more challenges in the legislature and the courts as the voucher program expands and the costs increase.

CONCLUSION

There is no doubt that voucher programs could be of great value to Catholic high schools where increased costs have priced these schools beyond the financial capacities of many parents. But, what is the price for such programs? Will these programs become more of a curse than a blessing for Catholic high schools? As the new century unfolds, this highly volatile issue could very well transform the Catholic high school. It is the responsibility of Catholic school leaders to frame the discussion in a way that preserves the integrity and mission of the Catholic high school in the 21st century.

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